IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1067 OF 2005

Vitthal Narayan Bedare ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

.....

Mr. S.S. Salunke, counsel for Petitioner

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CORAM: B. H. MARLAPALLE, J.

DATED: 2ND MARCH, 2005

P. C.:-

1. Heard Mr. Salunke, the learned counselfor the petitioner.

2. By an order dated 1.8.2001 the District Supply Officer at Solapur has cancelled the fair price shop licence granted in favour of the petitioner, for the reasons stated therein. The said order was the subject matter of the Revision Application before the Deputy Commissioner (Supply), Pune Division at Pune, who by his order dated 17.8.2002 was pleased to dismiss the Revision. The petitioner, thereafter, approached the Government of Maharashtra by filing Revision Application U/Section 24 of the Maharashtra Essential Commodities (Distributions Rules) Order 1975 and the said Revision has also been dismissed on

15.1.2003 by the Hon’ble Minister for Food and Civil Supplies and Consumer Protection.

3. It was submitted by Mr. Salunke that the District Supply Officer passed an order without hearing the petitioner. Even if this argument is presumed to be correct, the Deputy Commissioner (Supply) has heard the petitioner on his Revision and after perusal of the record, confirmed the order passed by the District Supply Officer. In the third stage, the Hon’ble Minister once again called for record, considered the arguments of the respective parties and held that there was no case for interference in the order passed by the District Supply Officer. The charges which have been held to be proved against the petitioner while distributing items like sugar, wheat etc. to the ration card holders, are of serious nature and therefore, the authorities below have taken a serious view. The concurrent findings by the authorities below do not call for interference in this petition under Article 227 of the Constitution of India.

4. The petition is therefore, rejected summarily.